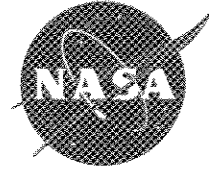


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



June 15, 2011

Reply to Attn of:

General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at the 50th Anniversary of the First Nuclear Space Flight Reception on June 29, 2011

On June 29, 2011, the American Astronautical Society (AAS), Hamilton Sundstrand, Lockheed Martin, the Johns Hopkins University Applied Physics Laboratory (APL), and Teledyne Energy Systems, Inc. will host a reception at the Smithsonian's National Air and Space Museum (NASM) in Washington, D.C. starting at 6:30 PM. The reception is being held alongside the commemoration of the historic first nuclear space flight being held by NASM and NASA later that evening.

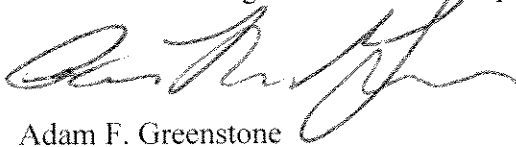
The reception will be widely attended by representatives from other Federal agencies, members of Congress and their staffers, industry, state and local officials, the media, and members of the public. Approximately 500 individuals have been invited. The estimated cost of the reception, which includes all food and beverages, is \$50.00 per person.

I find that this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. This event will allow NASA employees the opportunity to discuss space-related issues and NASA programs, particularly in the field of nuclear-powered spacecraft, with other attendees. Accordingly, NASA employees whose duties do not substantially affect the sponsors may accept an invitation from NASM for free attendance to the reception for themselves and their invited guests.

However, NASA employees whose duties may substantially affect the sponsor organizations, such as by way of procurement duties should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor. Moreover, NASA employees who are in non-career positions in which Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsors the cost of event for themselves and any accompanying guest. An "honor basket" will be provided by the sponsors to allow reimbursement on site.

Sometimes sponsors at an event may also provide small gift items. Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion and no more than \$50 from one source in a calendar year. Other than for presentation items with little intrinsic value and no additional function, such as pins or patches with mission emblems, NASA invitees must reimburse the sponsors for the full value of any gift items exceeding these caps distributed by the sponsors. Moreover, non-career NASA employees subject to the ethics pledge should reimburse sponsors which are lobbying organizations for purposes of the ethics pledge the full value of any such gift items accepted even if these monetary caps are not exceeded.

We understand that APL, a non-profit corporation under Section 501(c)(3) of the Internal Revenue Code, will be distributing a book valued at \$20. Both career-and non-career NASA employees attending may accept this gift so long as they will not have received more than \$50 in gifts from Johns Hopkins University during this calendar year.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written over a horizontal line.

Adam F. Greenstone